

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Case No. 2:21-cv-05017-PCK-SIL

----- X
NOE GONZALEZ, individually and on behalf of all
others similarly situated,

Plaintiff,

-against-

THE CHEESECAKE FACTORY RESTAURANTS,
INC. d/b/a THE CHEESECAKE FACTORY,

Defendant.
----- X

**NOTICE OF DEFENDANT'S MOTION TO STAY CASE
AND TO COMPEL INDIVIDUAL ARBITRATION**

Defendant The Cheesecake Factory Restaurants, Inc. d/b/a The Cheesecake Factory ("TCFI") will move before The Honorable Pamela K. Chen, United States District Judge for the United States District Court of the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined, for an order granting TCFI's motion to stay case and to compel individual arbitration pursuant to the Federal Arbitration Act. TCFI is making this motion because Plaintiff Noe Gonzalez has refused to submit to individual arbitration in violation of his signed arbitration agreement with language requiring individual arbitration.

TCFI's motion is supported by a memorandum of law and a declaration from Barbara Lewis with attached exhibits. *See* Local Civil Rules 7.1(a)(2) and 7.1(a)(3). TCFI has filed a proposed order as well. *See* Individual Rule 1(E). TCFI will send one courtesy copy of its motion papers with the ECF-numbering appearing at the top of the page to the Court. *See* Individual Rule 3(D).

Dated: February 14, 2022

Respectfully submitted,

/s/ Stephen Stecker

Stephen Stecker

Anjanette Cabrera

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I, Stephen Stecker, certify that the **NOTICE OF DEFENDANT’S MOTION TO STAY CASE AND TO COMPEL INDIVIDUAL ARBITRATION** was filed on February 14, 2022, using the Court’s Electronic Case Filing (ECF) system, which will send notice of the filing to Plaintiff’s attorney:

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/s/ Stephen Stecker
Stephen Stecker